IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 22430 of 2004

Between:

Rampal Devda, S/o. Kishan Lal Devda,
R/o. H.No. 1-9-615, Adikmet, Hyderabad.

... PETITIONER

AND

1 The District Collector, Hyderabad Having Office at Nampally,

Hyderabad.
2 The Mandal Revenue Officer, Musheerabad Having Office at

Musheerabad, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass on order, direction or a Writ particularly in the nature of Writ of Mandamus declaring that the respondent No.2 has no right whatsoever, to refuse to issue caste certificate or to cause any delay in disposal of the application of the petitioner submitted him to obtain caste certificate from him in as much as the same would infringe the fundamental right of a citizen. Consequently this Hon'ble Court may be pleased to direct the respondents to issue the caste certificate to the petitioner on his application dated 11-10-04, immediately.

Counsel for the Petitioner: MR.MOHD.MOIN AHMED QUADRI

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

s**ORDER:**

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Revenue, and with their consent, the writ petition itself is being disposed of finally at the stage of admission.

2. Petitioner, who belongs to 'Mali' Community, which comes under BC-D Category, said to have made a representation, dated 10-11-2004 to the Mandal Revenue Officer for issuance of Caste Certificate. Alleging inaction on the part of the second respondent – Mandal Revenue Officer in issuing the said certificate, the present writ petition has been filed.

3. According to Rule 5 (h) of the A.P. Scheduled Castes, Scheduled Tribes and Backward Classes – Issue of Community, Nativity and Date of Birth Certificates Rules, 1997 (for short 'the Rules'), the Competent Authority shall confirm or reject the claim for the Community, Nativity and Date of Birth Certificate, after conducting the enquiry as mentioned in the paras above, within a period not exceeding 60 (sixty) days from the date of receipt of the application by him in Form I/II.

4. In view of the same, second respondent- Mandal Revenue Officer is hereby directed to consider the application of the petitioner for issuance of Certificate to him, within a period of 60 days from the date of application filed by the petitioner.

The writ petition is accordingly disposed of at the admission stage.

N. V. RAMANA, J

December 6, 2004

MRR/KSR

To:

1 The District Collector, Hyderabad Having Office at Nampally,

Hyderabad.

2 The Mandal Revenue Officer, Musheerabad Having Office at

Musheerabad, Hyderabad.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad

(OUT)

4 Two C.D. Copies.